

# MAINE STATE LEGISLATURE

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**STATE OF MAINE  
115TH LEGISLATURE**

**FIRST REGULAR SESSION  
AND  
FIRST SPECIAL SESSION**

**BILL SUMMARIES  
JOINT STANDING COMMITTEE  
ON  
ENERGY AND NATURAL RESOURCES**

**AUGUST 1991**

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**ONE HUNDRED AND FIFTEENTH LEGISLATURE  
FIRST REGULAR SESSION  
AND  
FIRST SPECIAL SESSION  
JOINT STANDING COMMITTEE  
BILL SUMMARIES  
AUGUST 1991**

This document is a compilation of the bill summaries prepared by this office for the Joint Standing Committees and Joint Select Committees of the Maine Legislature. The volume is organized alphabetically by committee; within each committee, the summaries are arranged by LD number. A subject index is provided at the beginning of each committee's summaries.

All adopted amendments are listed, by paper number (e.g., H - 584 or S - 222), together with the sponsor for floor amendments. Final action on each bill is listed to the right of the title. Various types of final action are abbreviated as follows:

<b>PUBLIC XXX</b>	<i>Chapter # of enacted Public Law</i>
<b>P&amp;S XXX</b>	<i>Chapter # of enacted Private &amp; Special Law</i>
<b>RESOLVE XXX</b>	<i>Chapter # of enacted Resolve</i>
<b>CON RES XXX</b>	<i>Chapter # of Constitutional Resolution passed by both Houses</i>
<b>EMERGENCY</b>	<i>Enacted law takes effect sooner than 90 days</i>
<b>CARRIED OVER</b>	<i>Bill carried over to 2nd Session</i>
<b>FAILED EMERGENCY ENACTMENT</b>	<i>Bill failed to get 2/3 vote</i>
<b>ONTP</b>	<i>Ought Not to Pass report accepted</i>
<b>LVWD</b>	<i>Leave to Withdraw report accepted</i>
<b>INDEF PP</b>	<i>Bill Indefinitely Postponed</i>
<b>DIED BETWEEN BODIES</b>	<i>House &amp; Senate disagree; bill died</i>
<b>VETO SUSTAINED</b>	<i>Legislature failed to override Governor's Veto</i>
<b>UNSIGNED</b>	<i>Not signed by Governor within 10 days</i>
<b>DIED ON ADJOURNMENT</b>	<i>Action incomplete when 1st session ended</i>

These summaries were prepared by the analyst or analysts assigned to the committee. But, this document was produced by the efforts of all the office staff, including secretaries: Charlene Raymond and Valarie Parlin, and especially Laurette Knox who coordinated preparation of the overall document.

If you have any suggestions or comments on these summaries, please let us know.

**SPONSOR(S)**  
KILKELLY  
JACQUES  
LORD  
GOULD R A

**COMMITTEE REPORT**  
OTP-AM

**AMENDMENTS ADOPTED**  
H-216

**SUMMARY**

This bill exempts routine repair and maintenance of existing access ways to residential dwellings from the need to obtain a permit under the natural resource protection laws.

The committee amendment (H-216) expands the exemption provided in the bill to include reconstruction of existing access ways. The amendment also requires that there be evidence that the way was the prior route of access. Minimal intrusion into wetlands is allowed as long as proper drainage is installed. The exemption does not include access ways in coastal wetlands that are submerged at mean high tide. The amendment also strikes a retroactivity clause and adds an allocation section and a fiscal note.

**LD 577**

**An Act Regarding the Use of Pesticides and Placing the Board of Pesticides Control under the Authority of the Department of Environmental Protection (Reported by the Commission to Study the Use of Herbicides, Pursuant to Resolves 1989, chapter 98)**

**ONTP**

**SPONSOR(S)**

**COMMITTEE REPORT**  
ONTP

**AMENDMENTS ADOPTED**

**SUMMARY**

This bill was the minority report of the Commission to Study the Use of Herbicides, established by Resolves 1989, chapter 98. The bill would have moved the Board of Pesticides Control from the Department of Agriculture, Food and Rural Resources to the Department of Environmental Protection and would have prohibited the sale of produce treated with pesticides banned in Maine; increased penalties for pesticide violations; required the Department of Transportation and utilities to pay municipalities their avoided costs when entering into no-spray agreements; required research into agricultural, forestry and right-of-way alternatives to pesticides use; required ground water protection planning and established a pesticide ground water monitoring fund; amended the State's pesticide regulatory policy; changed the membership of the Board of Pesticides Control and established procedures for suspending and removing members who violate pesticide regulations; required pesticide applicators to report to the board and required the board to report biennially to the Legislature; required training and certification of pesticide users; and repealed the exemption for pesticide dealer reporting of pesticides sold in small containers.